

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LG CAPITAL FUNDING, LLC,

Plaintiff,

-v-

VERITEQ CORPORATION,

Defendant.

21 Civ. 6492 (PAE)

ORDER OF
DEFAULT JUDGMENT

PAUL A. ENGELMAYER, District Judge:

On July 30, 2021, plaintiff filed the complaint in this case. Dkt. 1. On November 4, 2021, plaintiff served defendant with process, making defendant's deadline to answer or otherwise respond November 26, 2021. *See* Dkt. 4. Defendant never appeared. On December 13, 2021, the Court issued an order to show cause as to why the action should not be dismissed for failure to prosecute, because defendant has not responded to the complaint or otherwise appeared in this action. Dkt. 5. On December 15, 2021, plaintiff obtained a clerk's certificate of default. Dkt. 9. On December 17, 2021, plaintiff filed a motion for default judgment. Dkt. 10. Plaintiff also filed the declarations of Joseph Lerman, Dkt. 11, and Kevin Kehrli, Dkt. 14, a memorandum of law in support, Dkt. 13, and a proposed default judgment, Dkt. 15. On January 5, 2022, plaintiff filed a copy of the operative pleadings in this case. Dkt. 17. On January 18, 2022, the Court issued an order to show cause, directing plaintiff to serve the order and the papers in support of their motion for default judgment on defendant forthwith. Dkt. 18. On January 21, 2022, plaintiff filed a certificate of service, indicating that service had been made that day. Dkt. 19.

The Court has reviewed plaintiff's motion for default judgment pursuant to Federal Rule of Civil Procedure 55(b), Dkt. 10, supporting declarations, Dkts. 11, 14, and memorandum of law, Dkt. 13. Because proof of service has been filed, defendant has not answered the complaint and the time for answering the complaint has expired, and defendant failed to appear to contest entry of a default judgment, the Court enters a default judgment for plaintiff against defendant.

The Court, by separate order, will commission an inquest into damages. The Court respectfully directs the Clerk of the Court to terminate the motion pending at docket 10.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: March 31, 2022
New York, New York